

Ordinance No. 98564

AN ORDINANCE relating to condemnation proceedings to acquire property and property rights necessary for the widening of Northeast 125th Street, Roosevelt Way Northeast, and other streets under Ordinance 97576, and accepting certain condemnation awards.

1-22-70 Pass

COMPTROLLER
FILE NUMBER

Council Bill No. 90144

INTRODUCED: JAN 19 1970	BY: <i>[Signature]</i>
REFERRED: JAN 19 1970	TO: <i>Finance</i>
REFERRED:	<i>Finance</i>
REFERRED:	
REPORTED: JAN 26 1970	SECOND READING: JAN 26 1970
THIRD READING: JAN 26 1970	SIGNED: JAN 26 1970
PRESENTED TO MAYOR: JAN 26 1970	APPROVED: JAN 26 1970
RETD. TO CITY CLERK: JAN 26 1970	PUBLISHED: JAN 29 1970
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

ORDINANCE 08864

AN ORDINANCE relating to condemnation proceedings to acquire property and property rights necessary for the widening of Northeast 125th Street, Roosevelt Way Northeast, and other streets under Ordinance 97576, and accepting certain condemnation awards.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the condemnation award as to Parcel 69 entered December 19, 1969, the condemnation award as to Parcel 232 entered January 5, 1970, and the condemnation awards as to Parcels 3, 65, 79-82, 158, 218, 226 and 227 entered January 6, 1970, in the aggregate amount, including statutory costs, of One Hundred Fifty Thousand Seven Hundred Eighty-eight Dollars (\$150,788.00), in the matter of the petition of The City of Seattle to acquire by condemnation land and other property necessary for the laying off, opening, widening and extending of Northeast 125th Street, Roosevelt Way Northeast, et al., as contemplated by Ordinance 97576, King County Cause No. 707108, be and the same are hereby accepted. Payment of such awards, interest and costs allowed by statute shall be made from funds previously appropriated for such purpose from the City Street Fund by Ordinance 97884.

Section 2. That any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

(To be used for all Ordinances except Emergency.)

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 26 day of January, 1970
and signed by me in open session in authentication of its passage this
January, 1970 *Charles M. Carroll* day of

President of the City Council.
Approved by me this 26 day of January, 1970 *Mr. Uhlman*

Mayor.
Filed by me this 26 day of January, 1970

Attest: *A. J. Anderson*
City Comptroller and City Clerk.

(SEAL)

Published JAN 29 1970

By *J. F. Fenton*
Deputy Clerk.

ASSISTANT CORPORATION COUNSEL

JOHN P. HARRIS
G. GRANT WILCOX
CHARLES R. NELSON
GORDON F. CRANDALL
ARTHUR T. LANE
THOMAS J. WETZEL
E. NEAL KING
JORGEN G. BADER
JAMES M. TAYLOR
JAMES B. HOWE, JR.
J. ROGER NOWELL
RICHARD H. WETHMORE
H. JOSEPH COLEMAN
JOHN NEIKIRK

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING • SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 583-2304

A. L. NEWBOULD, CORPORATION COUNSEL

CITY PROSECUTORS

ROBERT M. ELIAS
JACK B. REGAN
ROBERT B. JOHNSON

CLAIM AGENT

V. L. PORTER

January 15, 1970

Re: Condemnation for the widening of N.E.
125th Street, et al., Ordinance 97576,
King County Cause No. 707108.

City Council
Seattle

Honorable Members:

Forwarded herewith is a proposed ordinance accepting condemnation awards on ten parcels in "In the Matter of the Petition of The City of Seattle to acquire by condemnation land and other property necessary for the laying off, opening, widening, and establishing of Northeast 125th Street, Roosevelt Way Northeast . . ." and other streets as contemplated by Ordinance 97576.

The awards to Parcels 3, 65, 79 and 82 and 232 are in the amount of total just compensation found by an independent appraiser retained by the City; the awards to Parcels 158, 218, 226 and 227 represent negotiated settlements reached with the several property owners and their attorneys upon the recommendation of the City's appraiser.

One parcel, Parcel 69, was tried. Parcel 69 is located at the northeast corner of Roosevelt Way Northeast and Northeast 125th Street, and occupied by the Parkview Apartments. The City had offered \$20,900. The owner presented appraisal testimony of damages in the amount of \$60,500. The jury returned a verdict on December 19, 1969 in the amount of \$31,630.

Judgment on the Verdicts in the above condemnation was entered January 16, 1970. The aggregate amount of the awards to the ten parcels referred to above is \$150,788. Five parcels remain to be tried. Four are set for trial in January and February, and the last parcel is set for trial in March.

Yours very truly,

A. L. NEWBOULD
Corporation Counsel

BY: JORGEN G. BADER
Assistant

JGB:GC
ENC.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on FINANCE

JAN 26 1970

to which was referred C.E. 90144,

relating to condemnation proceedings to acquire property and property rights necessary for the widening of Northeast 125th Street, Roosevelt Way Northeast, and other streets under Ordinance 97576, and accepting certain condemnation awards,

RECOMMENDS THAT THE SAME DO PASS.

George Bailey

Chairman

ACTING Chairman

ORDINANCE NO. 95564

AN ORDINANCE relating to condemnation proceedings to acquire property and property rights necessary for the widening of Northeast 125th Street, Roosevelt Way Northeast, and other streets under Ordinance 97576, and accepting certain condemnation awards.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the condemnation award as to Parcel 69 entered December 19, 1969, the condemnation award as to Parcel 232 entered January 5, 1970, and the condemnation awards as to Parcels 3, 65, 79-82, 158, 218, 229 and 227 entered January 6, 1970, in the aggregate amount, including statutory costs, of One Hundred Fifty Thousand Seven Hundred Eighty-eight Dollars (\$150,788.00), in the matter of the petition of The City of Seattle to acquire by condemnation land and other property necessary for the laying off, opening, widening and extending of Northeast 125th Street, Roosevelt Way Northeast, et al., as contemplated by Ordinance 97576, King County Cause No. 707108, be and the same are herewith accepted. Payment of such awards, interest and costs allowed by statute shall be made from funds previously appropriated for such purpose from the City Street Fund by Ordinance 97884.

Section 2. That any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 26th day of January, 1970, and signed by me in open session in authentication of its passage this 26th day of January, 1970.

CHARLES M. CARROLL,
President of the City Council.
Approved by me this 26th day of January, 1970.

WES UHLMAN,
Mayor.
Filed by me this 26th day of January, 1970.

Attest: C. G. BERLANDSON,
City Comptroller and
City Clerk.
(Seal) By J. F. FENTON,
Deputy Clerk.

Publication ordered by C. G. BERLANDSON, Comptroller and City Clerk.
Date of official publication in the Daily Journal of Commerce, Seattle, January 29, 1970.
(C-753)

Affidavit of Publication

STATE OF WASHINGTON,
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a.....

ORDINANCE NO. 97564

was published on January 29, 1970

M. J. Brown
Subscribed and sworn to before me on

January 29, 1970

James B. Blanton
Notary Public for the State of Washington,
residing in Seattle.

(Note: R.C.W. 42.22.090 states—"It shall not be necessary for a notary public in certifying an act to be read in any of the courts in this state, to append an impression of his official seal.")

January 30 1970

Re: Condemnation of 25 125th St
King County Cause #77108
City Ord 097576
Parcels 3, 49, 49, 77-82, 158,
219, 226, 227, 232

Mr Walter W. Sengstuber
King County Clerk
Seattle, Washington

Dear Sir:

I am today paying into the registry of the King
County Superior Court the sum of \$152,049.33 for the subject
condemnation, as follows:

Awards	\$147,788.00
Commission	1,000.00
Costs	3,400.00
Interest	1,861.33
	<u>\$152,049.33</u>
Less Taxes	4,516.27
Less Assessments	<u>144.00</u>
	<u>\$152,049.33</u>

The aforementioned awards were accepted by the City
on January 26 1970, by Ordinance #48566, copy of which is
enclosed.

Very Truly Yours,

CITY COMPTROLLER